Intelligence Agencies in India: Need for a public interface

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Today's intelligence agencies operate in highly complex environments. Cold War definitions and understanding of threats have long become redundant. Threats are multiple, layered, networked, diffused and transcend social and spatial boundaries. Traditional distinctions between domestic and global threats have greatly blurred, especially in the case of terrorism. In this sphere, most pressing challenges for any intelligence agency is to counter, contain and interdict stateless violent actors and state-supported violent actors. This has introduced some fundamental changes in the manner in which intelligence is collected, analysed and disseminated, how intelligence agencies operate, collaborate and at the same time protect their strategic and tactical instruments and objectives from any influence and compromise, accidental or otherwise.

Although intelligence agencies in India have been slow to transform, primarily because of bureaucratic inertia, poor leadership and lack of political direction, significant changes have been witnessed in the intelligence community, particularly after the Kargil conflict of 1999, and more recently after the Mumbai attacks of November 2008. In comparison to the past, the intelligence agencies are today much more tech savvy, better staffed, well coordinated and have benefited from cooperation with other international agencies in training, orientation and sharing of intelligence.

But the agencies, particularly the Intelligence Bureau and Research and Analysis Wing, have shied away from one of the best practices followed in most of the democratic world's intelligence community. That is to institutionalise a robust interface between the agencies and the Indian citizen.

Scope and definitions

This paper argues that intelligence agencies need to interact with the citizens at multiple levels in the overall national interest and there are compelling reasons for doing so, in terms of seeking a public mandate for the activities of intelligence agencies in a democratic system and for introducing transparency in the functioning of the agencies for better accountability, and performance.

At this stage, it is important to define terms like 'intelligence agencies' and 'public' with more clarity. 'Intelligence agencies' here means the Intelligence Bureau (IB) reporting to the Ministry of Home Affairs and Research and Analysis Wing (RAW) working under the overarching jurisdiction of Cabinet Secretariat. The heads of both the agencies, however, have the right to report directly to the

Prime Minister. Both can also be asked to report to the National Security Advisor. The term 'public' is more broader in its meaning and includes the people's representatives, Parliament, academics, business and industry leaders, journalists and other citizens.

A brief look at the overall security/intelligence architecture in India as it exists today could also be relevant to our enquiry. The intelligence architecture rests on four organisational pillars—political, administrative, intelligence and enforcement. The Cabinet Committee on Security headed by the Prime Minister with External Affairs Minister, Home Minister, Finance Minister and Defence Minister as members constitutes the political arch of the system. The National Security Adviser acts as the ex-officio member of the committee. The administrative part comprises the Ministry of Home Affairs, the Prime Minister's Office and the Cabinet Secretariat. The intelligence wing constitutes of Intelligence Bureau (reporting to the Home Ministry), Research and Analysis Wing (reporting to the Cabinet Secretariat which means to the Prime Minister), Joint Intelligence Committee, National Technical Research Organisation and Aviation Research Centre (reporting to the National Security Advisor) and the National Security Council Secretariat (under the National Security Advisor). The military has its own intelligence units and an overarching body called the Defence Intelligence Agency. Besides, there are several financial intelligence units working under the Finance Ministry. The enforcement is the responsibility of a host of police and para-military organisations.

This paper's scope, however, is confined to the intelligence agencies and the manner in which they interact with the public, and explore possible ways to enhance this relationship in the overall interest of national security.

Twitter world

In a highly globalised world where social media networks are the new medium of dramatic changes, the intelligence agencies in India continue to function in isolated splendour, insulated in the secure confines of past traditions and mindset. Two reasons agitate against such behaviour. The need to know has become a sheet anchor of transparency in governance and this bourgeoning democratic urge can only be ignored at

some cost to the democratic structure of nation's polity which the intelligence agencies are committed and tasked to protect. There is hardly any incentive for a professional organisation to bury its head in the sand when the world around is shifting rapidly.

Second, and this is in a way more important for an intelligence agency, public awareness and commitment could act as 'force multipliers' in many ingenuous ways than earlier imagined, thanks to the technological and information waves sweeping the world. State of isolation drives the intelligence agencies away from being an important and integral part of India's comprehensive national power. Instead, they become more secretive which, as is often the case world wide, spawns various levels of malpractices and failures. These 'failures' then induce the intelligence officials to seek political patronage and refuge, further undermining the professionalism within the forces.

A few illustrative case studies reinforce the above argument. The 1999 Kargil conflict brought serious charges of failure on the part of intelligence agencies although it was known that there were adequate intelligence inputs about troop movements, increased infiltration and other associated events. The failure on the part of the intelligence agencies was more in connecting the dots they had collected over a span of time. But this failure was accentuated by the army's own set of failures in correctly assessing its own inputs as well as the ones shared by both IB and RAW. These mistakes were further compounded by unpardonable political hubris. The intelligence agencies found no viable platform to contradict or clarify the allegations against them.

A similar situation arose during the Mumbai 2008 attacks. The failure of the intelligence agencies to forewarn, and pre-empt, the attacks raised public hackles once more. Once again, it was a systemic failure, including that of intelligence agencies. The failings of the law enforcement agencies, the federal command and control structure and the political leadership were too many. While the bureaucrats and the ministers used the media to express their views, largely to defend themselves, the intelligence agencies had no chance to explain their stand.

A charitable view, which has a large following within the intelligence community, could be that such a

position also helped the agencies in deflecting criticism. The flipside of such an argument is that the cover of anonymity which the agencies enjoy in India not only makes them immune to public scrutiny but also to introspection and to effect necessary reforms to strengthen their professional duty towards the nation.

Missing interface

Democratic governments disseminate policy decisions, guidelines and directives through official spokespersons. This 'public affairs department', often staffed, in India, by members of the Indian Information Service (IIS), varies in size depending on the department. For instance, the Ministry of Defence has a Directorate of Information and Publicity headed by a senior IIS officer who is authorised to brief the media, issue press statements and organise press conferences on behalf of the Defence Minister, his deputy Ministers, Defence Secretary and various heads of defence-related departments. He also oversees the functioning of the information departments of Army, Navy, Air Force and Defence Research and Development Organisation (DRDO). The military units are staffed by respective members of the Services reporting to the civilian head of the Directorate. The Army also runs a Army Liaison Cell which interacts with the media but not on a regular basis.

In the case of intelligence agencies in India, there is no institutional mechanism to inform the Indian people about their functioning and utility. In theory, IB should be represented by the official spokesperson of the Home Ministry and RAW by the Cabinet Secretariat or the Prime Minister's Office. In practice, neither of these have ever dealt with intelligence matters. The IB's parent organisation, the Ministry of Home Affairs, has an official spokesperson but most of the briefings to the media are done either by the Home Secretary or the Home Minister. The parliamentarians are briefed by senior officers of the ministry, including the Secretary. On rare occasions, senior IB officials have directly briefed the parliamentarians. The Prime Minister's Office is represented by the media adviser but rarely has this office held any briefings on intelligence issues.

As an alternative, the National Security Council Secretariat could have taken the responsibility of communicating to the people about domestic as well as global threats impinging on India's overall security. But in the absence of an official spokesperson, the Council's assessments are made public through talks/speeches of the National Security Advisor.

The intelligence agencies, however, have instituted an ad hoc mechanism to converse with the media. In RAW, a senior official 'feeds' the media while IB has a similar group of officers who interact with the journalists. Occasionally, certain unclassified materials are 'leaked' to the media. A recent case was that of a list of Lashkar-e-Tayyeba leaders who were named in a US court for the Mumbai attacks. Several years ago, RAW had prepared an unclassified compendium of terrorists operating from Pakistan which was then circulated among select few journalists, academics and other opinion makers.

In essence, the relationship between the agencies and the wider public is at best opaque and intermittent in nature.

Similarly, the debate on intelligence matters in the Parliament or in the various standing committees has rarely been informed by an understanding of the complexities of an intelligence operation. Most parliamentarians learn about intelligence matters from newspapers and magazines. Only a very few correspondents and editors in India have studied intelligence matters or agencies to write with any authority on the subject. As a result, barring occasional sensational leaks and conspiracy theories, there is little information about the intelligence agencies in the mainstream newspapers and magazines. This cycle of ignorance gives rise to indifference, doubt and suspicion in the minds of the citizens about the intelligence agencies.

Need to know

The 'need to know' principle is stretched to a ludicrous extent in the Indian context. The intelligence agencies have never published any threat assessments and threat perceptions. The only public media where threat perceptions are published are the Annual Reports of the Ministry of Home Affairs and the Ministry of Defence. In comparison, the US and several European countries regularly publish intelligence estimates, threat assessments besides declassifying a vast amount of confidential notings and reports every year which help in building a

transparent, easily accessible public database on intelligence agencies and their outputs. In India, the official threat perceptions can only be gleaned from the statements, interviews and articles written by senior ministers or bureaucrats.

In fact, the intelligence community or its members do not publish anything. They also discourage, barring a few exceptions, publishing of memoirs or accounts by retired officers. Except for accounts of their careers in intelligence services written by Mr B. Raman (former Additional Secretary, RAW) and Mr Moloy Krishna Dhar (former Joint Director, IB), and an expose of sorts by former RAW officer, Major General V.K. Singh, there is a dearth of published material from the intelligence officials. Some of them do take to writing opinion pieces after their retirement but those provide hardly any clue about the nature and functioning of intelligence agencies. Reports of committees that studied reforms in the intelligence agencies remain either classified or are available in parts, that too heavily redacted. The Kargil Review Committee report was, perhaps, the last such publication.

The intelligence communities in India do not have an internet presence either. Unlike in the case of CIA or MI5, the Indian intelligence agencies do not host any website of their own. Neither does the website of the Home Ministry nor that of the Prime Minister's Office offer any clue about the intelligence agencies. The National Security Council remains without a web presence while the Cabinet Secretariat website is silent on the agencies. Thus, the Indian agencies are virtually non-existent in the networked world.

CIA's Outreach Programme

On the other hand, the online as well as offline presence and visibility of the intelligence community in the US is admirable. This is primarily due to the heavily invested and empowered offices of 'public affairs'.

A brief overview of the 'public face' of the Central Intelligence Agency, perhaps one of the largest, technically empowered intelligence agencies with an enormous budget, can provide an indication of the importance given to public interaction. The CIA's public interaction is conducted by the Office of Public Affairs (OPA) and its Director acts as the CIA spokesperson. He reports to the CIA Director. His responsibility includes "communicating with the media, the general public, and CIA's workforce". The OPA in fact acts as the eyes and ears for the agency and keeps the top leadership "informed of prospective and breaking news stories about CIA, including stories that could put Agency officers or operations at risk". The office develops media strategies, facilitates the Director's press briefings, interviews and public appearances. The CIA's public website remains a storehouse of declassified material, easily searchable, and a host of publications, including the widely popular and widely desseminated online CIA World Fact Book.

The CIA's outreach programme has been in existence since 1947 and has been subjected to continuous reviews by in-house assessments as well as Presidential Task Forces. The Task Force on Greater CIA Openness set up in 1991 made significant recommendations on making CIA transparent and responsive to the public quest for information. One of the questions it set about answering was—How can we do a better job of informing the general public and key constituencies about the need for a strong intelligence effort and about the missions and accomplishments of the intelligence community in a changing world?

One of the conclusions the Task Force reached was that there was a consensus, among those who were consulted, on the "need to make the institution and the process more visible and understandable rather than strive for openness on specific substantive issues. To do this, we need to develop strategic vision of what we want to be open about, why we want to be open and to whom we want to be more open".

British intelligence agencies

The British example could also help in understanding both the need and the dilemma of opening intelligence agencies to public scrutiny and dissemination. Two key intelligence agencies of the British government are the Secret Intelligence Service (SIS), more widely known as MI6 and the Security Service, better known as MI5. The first one is tasked to provide "Her Majesty's government with a global covert capability to promote and defend the national security and economic well-being of the United Kingdom'. The latter is "responsible for countering covertly organised threats to national security". MI6 does not

maintain a press office but has a designated press officer at the Foreign and Commonwealth Office to respond to queries, and a website. The chief of MI6 produces a classified report for the Prime Minister as well as the Foreign Secretary. Parts of this report are available in the public domain through reports published by the Intelligence and Security Committee. The domestic intelligence agency, MI5, has no press office and handles media queries through the Home Office. But it maintains a website to "improve public understanding of our role". The website, it is stated, "contributes to the government's counter-terrorist strategy by providing a detailed description of the threats to national security and the current national threat level". The site also helps public to send "us information they think could help with our work".

Despite these measures at 'openness', the British agencies have been grappling with the problem of 'media leaks'. The 2008 Annual Report of the Intelligence and Security Committee cited cases of misreporting and media leaks which came 'close to compromising counter-terrorism operations' and even, in some cases, damaging the long-term capability of the agencies. The committee noted that the role of media in counter-terrorism was "more important than ever'. It said "the current system for handling national security information through DA notices (an unofficial media advisory to avoid publishing stories that undermine intelligence/security operations) and the agencies' relationship with the media more generally is not working as effectively as it might and this is putting lives at risk. We recommend that the government engage with the media to develop a new, effective system, with a view to protecting intelligence work, operations, sources and criminal prosecutions while ensuring that the media continue to report on important matters of public interest".

Significant Payoffs

The above two brief discussions show the extent of debate in the intelligence community about the need to manage media projections and public interaction. There is a general consensus, with some caveats, about the need to convey certain messages to the people the intelligence agencies are tasked to serve and this can only be achieved by establishing a broad framework of interaction either directly through a press office or indirectly through websites, external media office, oversight committee reports and publications.

There are obvious outcomes of better public-intelligence agency interaction. These include a greater public awareness about threats which can help the agencies as well as the law enforcement agencies in tracking extremist/terrorist groups, hideouts and other suspicious activities. An active and aware resident welfare association or a community group, if suitably aware, can be of immense help in gathering ground level intelligence. Sharing information about threats to infrastructure, market places and mass transit systems like Metro with the people through media, background briefing to local elected representatives, local police and civic officials could make terrorist activities difficult to carry out.

Another positive outcome of a better interaction would be in the quality of candidates attracted to the services. Recruitment to intelligence agencies, like their other activities, remains no less secretive. Allegations of nepotism are rampant in the agencies. The overall quality of personnel remains questionable. The recruitment of top notch students from social science, engineering, computer professionals, economists and media into intelligence agencies remain almost negligible.

Moreover, public perception of threats can influence public policies. India's enormous investment in homeland security after the Mumbai attacks has been provoked in considerable measure by the enormous public outcry and anxiety. Such incidents also provoke unbridled, quite often misplaced, criticism of the intelligence agencies, clubbed in popular parlance as 'intelligence failure'. An attack of the magnitude of the Mumbai attacks is a multiple, systematic failure and to lay the blame at the doorsteps of the intelligence agencies is unreasonable and in some ways counter-productive. But these events create enormous public upheavals, resulting in uncalled for criticism and scrutiny of the intelligence agencies. Though without a sound reasoning, such criticisms morph often into beliefs and undermine the morale and efficiency of the intelligence staff.

The intelligence agencies, by their very nature of functioning, shy away from public dealings and scrutiny. This excessive diffidence is strengthened by media leaks, sensational stories and wrong, misleading

reports involving the agencies. The government's decision in 1999 to make public the transcript of conversation between General Perverz Musharraf and his aide, Lt. General Mohammad Aziz Khan, at the height of the Kargil conflict, had not gone down well with the intelligence community. It is said that the conversation between Musharraf in China and Aziz Khan in Islamabad was tapped by RAW by intercepting a particular satellite link. By making the conversation public, some officials believe, a key source of SIGINT (signal intelligence) was compromised, affecting future intelligence gathering operations. An incident of this nature, in the Indian context, has been more of an exception and hence chances of its repetition are rare, if any. The issue of misreporting and wrong projections by the media and commentators are a problem which occurs often and can be corrected by effective communication strategies.

Modalities of interaction

There are already some established modalities of interaction between intelligence agencies and the public. These include media briefings, press statements, publication of annual reports and other assessments, if any, and speeches of ministerial heads. Deep background briefings for the media have been a key instrument to inform journalists and their writings. Websites offer another public platform for the agencies to interact with a wider section of the public. In the Indian context, none of these interface mediums are in practice. The agencies can, however, draw lessons from the experience of the armed forces in this regard. The Indian armed forces—Army, Navy and Air Force—have their own official spokesperson and website to project the views of the military leadership and promote its activities to a wider audience. Besides, the armed forces are also served by a civilian directorate of information and publicity

located within the Ministry of Defence whose head reports directly to the Defence Secretary and Defence Minister. The Defence Ministry publishes Annual Reports and other publications which provide an insight into the functioning of various wings of the military establishment. The Standing Committee on Defence publishes regular reports on various aspects of the military, in addition to the regular audit reports prepared by the Comptroller and Auditor General of India. In case of the intelligence agencies, there are no such reports available in the public domain. Although there have been financial audits of RAW and IB, the reports have remained classified. Since there are no oversight parliamentary committees on intelligence, the functioning of the intelligence agencies remains opaque and dense.

Recommendations

The government must set up a task force with one representative each from the intelligence community, media, political party, academia/think tank and the National Security Council Secretariat to suggest a framework for institutionalising a more transparent public-intelligence interface. The task force must seek answers to the following questions: Is there a need for an official spokesperson or media office for the intelligence agencies? If so, where should it be located? If not, can the National Security Council Secretariat house a public affairs office to disseminate information on matters of intelligence, provide background briefings to the media and respond to media queries? Should unclassified threat assessment be published separately? Or should it be part of the Home Ministry/Defence Ministry Annual Reports? Is there now a need to communicate with the internal staff of intelligence outfits and what is the most effective manner to do this? Should transparency in dealing with threat to the nation not be a cornerstone of a strong and confident democracy?

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